

**U.S. Department of the Interior
Bureau of Land Management
Royal Gorge Field Office
3028 E. Main Street
Canon City, CO 81212**

CATEGORICAL EXCLUSION

NUMBER: DOI-BLM-CO-F02-2014-023 CX

PROJECT NAME: Texas Creek Beaver Dam Removal

PLANNING UNIT: Royal Gorge Field Office: Collegiate/Sangre Sub-region

LEGAL DESCRIPTION: T. 19 S, R. 73 W, Sec. 30

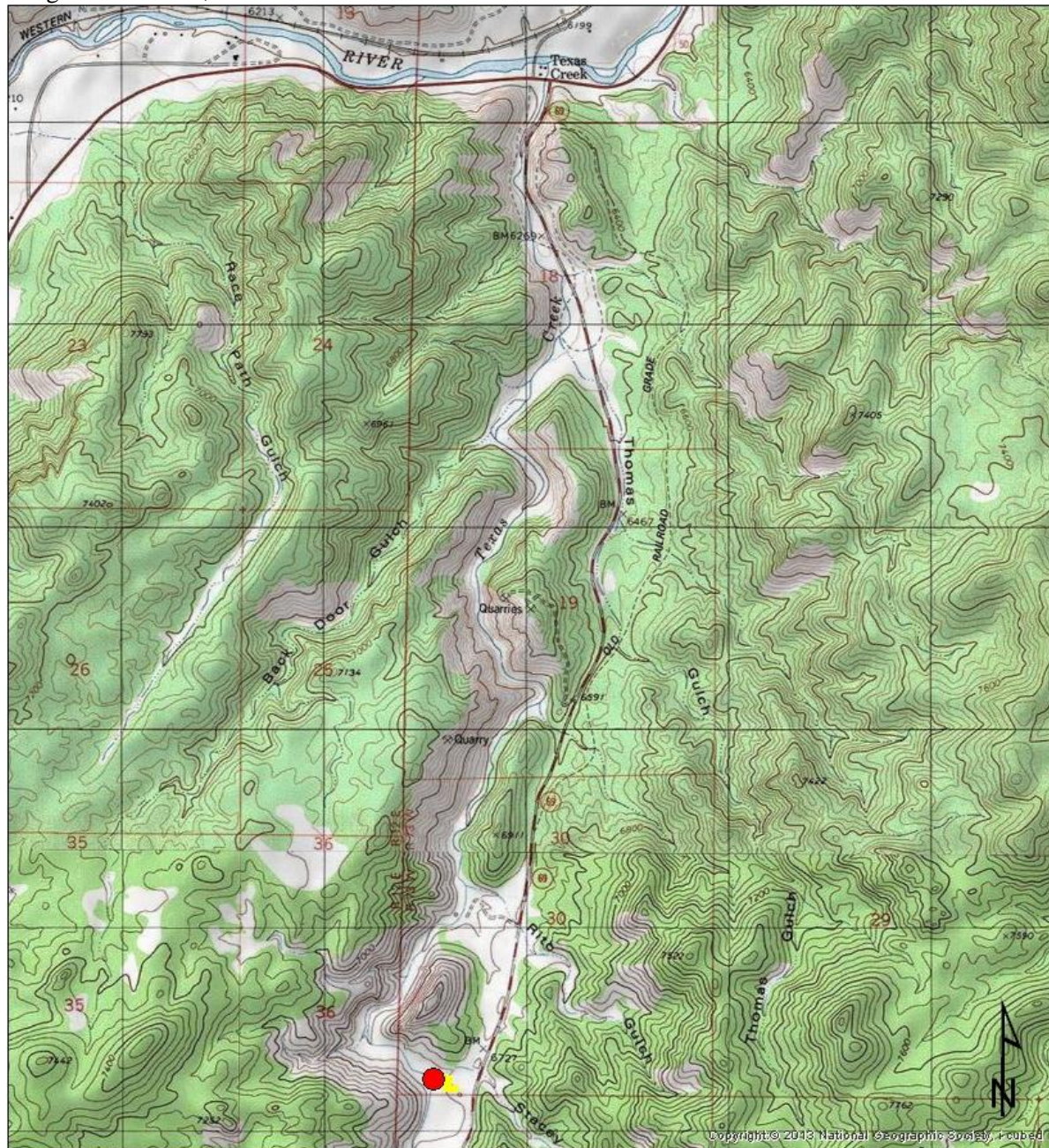
APPLICANT: Laura Longo

DESCRIPTION OF PROPOSED ACTION

The North American beaver (*Castor canadensis*) are a semiaquatic species, constructing complex dams, ditches, and canal systems to provide shelter, regulate water levels, and provide waterways for floating food and construction materials to a primary pond. Ecologically, the presence of beaver indicates a healthy riparian system and proper management of public lands. However, at times, beaver activity on public lands may affect neighboring private land owners by flooding their private property causing financial and functionality loss.

The applicant wishes to remove a single beaver dam located adjacent to her property on Bureau of Land Management managed lands, located three miles south of Texas Creek (Figure 1). The dam is causing water to pond on the applicants sub-irrigated hay meadow and a paddock used to board horses. As a result, there is an urgent need to remove the dam, the applicant claiming to lose approximately 100 bales per year in hay production and being unable to use the horse paddock on her property. The dam is too large to be removed by hand; therefore, an excavator will be used, accessing the site along the designated route (Figure 2). The applicant wishes to complete the project prior to spring run-off, while the water levels remain relatively low.

Figure 1. Texas Creek beaver dam removal project overview map, Bureau of Land Management-Royal Gorge Field Office, 2014.



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- beaver_dam_location
- equipment_access_route

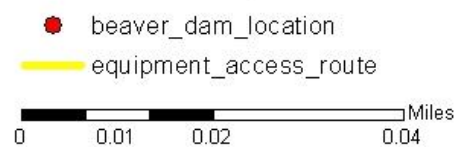
0 0.275 0.55 1.1 Miles

NOTE TO MAP USERS
No warrantee is made by the Bureau of Land Management as to the accuracy, reliability, or completeness of the data layers shown on this map. The official land records of the data providers should be checked or current status on any specific tract of land.

Figure 2. Texas Creek beaver dam removal project site map, Bureau of Land Management-Royal Gorge Field Office, 2014.



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PLAN CONFORMANCE REVIEW:

Name of Plan: Royal Gorge Resource Management Plant

Date Approved: 5/13/1996

Decision Number: C-59

Decision Language: Maintain all existing stream fisheries.

CATEGORICAL EXCLUSION REVIEW: This proposed action is listed as a Categorical Exclusion in DOI Departmental Manual Part 516 Chapter 11.9 I. None of the following exceptions in 516 DM 2, Appendix 2, apply.

Exclusion Criteria	YES	NO
1. Have significant impacts on public health or safety.		x
2. Have significant impacts on such natural resources and unique geographic characteristics as historic or cultural resources; park, recreation, or refuge lands; wilderness areas; lands with wilderness characteristics; wild or scenic rivers; national natural landmarks; sole or principal drinking water aquifers; prime farmlands; wetlands; floodplains; national monuments; migratory birds; and other ecologically significant or critical areas.		x
3. Have highly controversial environmental effects or involve unresolved conflicts concerning alternative uses of available resources.		x
4. Have highly uncertain and potentially significant environmental effects or involve unique or unknown environmental risks.		x
5. Establish a precedent for future action or represent a decision in principle about future actions with potentially significant environmental effects.		x
6. Have a direct relationship to other actions with individually insignificant but cumulatively significant environmental effects.		x
7. Have significant impacts on properties listed, or eligible for listing, on the National Register of Historic Places as determined by either the bureau or office.		x
8. Have significant impacts on species listed, or proposed to be listed, on the List of Endangered or Threatened Species, or have significant impacts on designated Critical Habitat for these species.		x
9. Violate a Federal law, or a State, local or tribal law or requirement imposed for the protection of the environment.		x
10. Have a disproportionately high and adverse effect on low income or minority populations.		x
11. Limit access to and ceremonial use of Indian sacred sites on Federal lands by Indian religious practitioners or significantly adversely affect the physical integrity of such sacred sites.		x
12. Contribute to the introduction, continued existence, or spread of noxious weeds or non-native invasive species known to occur in the area or actions that may promote the introduction, growth, or expansion of the range of such species.		x

INTERDISCIPLINARY TEAM REVIEW			
NAME	TITLE	AREA OF RESPONSIBILITY	Initials/date
Matt Rustand	Wildlife Biologist	Terrestrial Wildlife, T&E, Migratory Birds	MR, 1/28/2014
Jeff Williams	Range Management Spec.	Range, Vegetation, Farmland	
Chris Cloninger	Range Management Spec.	Range, Vegetation, Farmland	-----
John Lamman	Range Management Spec.	Weeds	JL, 02/03/2014
Dave Gilbert	Fisheries Biologist	Aquatic Wildlife, Riparian/Wetlands	DG, 1/27/14
Stephanie Carter	Geologist	Minerals, Paleontology, Waste Hazardous or Solid	-----
Melissa Smeins	Geologist	Minerals, Paleontology	MJS, 2/11/2014
John Smeins	Hydrologist	Hydrology, Water Quality/Rights, Soils	JS, 1/23/14
Ty Webb	Prescribed Fire Specialist	Air Quality	TW, 1/23/14
Jeff Covington	Cadastral Surveyor	Cadastral Survey	JC, 1/28/14
Kalem Lenard	Outdoor Recreation Planner	Recreation, Wilderness, LWCs, Visual, ACEC, W&S Rivers,	KL, 1/24/2014
John Nahomenuk	River Manager	Recreation, Wilderness, LWCs, Visual, ACEC, W&S Rivers	-----
Ken Reed	Forester	Forestry	KR, 1/23/2014
Monica Weimer	Archaeologist	Cultural, Native American	-----
Michael Troyer	Archaeologist	Cultural, Native American	MDT 2/18/14
Greg Valladares	Realty Specialist	Realty	GDV 02/24/2014
Steve Cunningham	Law Enforcement Ranger	Law Enforcement	SC 1/26/14
Dennis Page	Fire Management Officer (Acting)	Fire	DWP 2/10/14

REMARKS:

Cultural Resources: No historic properties were found in the area of potential effect [see report CR-RG-14-087 (N)]. Therefore, the proposed undertaking will have no effect on any historic properties (those eligible for the NRHP).

Native American Religious Concerns: No possible traditional cultural properties were located during the cultural resources inventory (see above). There is no other known evidence that suggests the project area holds special significance for Native Americans.

Threatened and Endangered Species: There are no records of any federally listed or BLM sensitive species within or near the project area. The Proposed Action will not result in impacts to TES species.

Migratory Birds: To be in compliance with the Migratory Bird Treaty Act (MBTA) and the Memorandum of Understanding between BLM and USFWS required by Executive Order 13186, BLM must avoid actions, where possible, that result in a “take” of migratory birds. Pursuant to BLM Instruction Memorandum 2008-050, to reduce impacts to Birds of Conservation Concern (BCC), no habitat disturbance (removal of vegetation such as timber, brush, or grass) is allowed during the periods of May 15 - July 15, the breeding and brood rearing season for most Colorado migratory birds. The provision will not apply to completion activities in disturbed areas that were initiated prior to May 15 and continue into the 60-day period.

An exception to this timing limitation will be granted if nesting surveys conducted no more than one week prior to vegetation-disturbing activities indicate no nesting within 30 meters (100 feet) of the area to be disturbed. Surveys shall be conducted by a qualified breeding bird surveyor between sunrise and 10:00 a.m. under favorable conditions.

Wildlife Resources: The proposed action will provide an immediate solution to the flooding currently occurring on the private landowner’s property. Removal of the beaver dam will not be a long term solution for the land owner as a beaver colony can construct a dam in as little as one evening. The BLM would permit this activity only to be a good neighbor since the dam is causing damage to personal property. The action should not set precedent for future removal of beaver related structures because of their importance to a healthy watershed.

Riparian Resources: Generally, BLM would not permit the removal of beaver dams, lodges or workings on public land because they indicate a riparian system in an advanced ecological situation therefore providing optimal benefit to a watershed. The beaver dams in Texas Creek are regionally known for providing a quality and unique angling experience. In this situation, this action is at the upper location of several miles of beaver ponded habitat. Removal of this one uppermost dam will not harm the functionality of the entire reach, it is however likely to be a reoccurring problem for the land owner. At that location there is also a substantial ephemeral drainage entering Texas Creek from the east and through time flood deposits may begin to aggrade that location raising the water table giving a similar problems for the landowner whose improvements are in lowland areas.

Wastes, Hazardous or Solid: If the project involves oil or fuel usage, transfer or storage, an adequate spill kit and shovels are required to be onsite during project implementation. The project proponent will be responsible for adhering to all applicable local, State and Federal regulations in the event of a spill, which includes following the proper notification procedures in BLM’s Spill Contingency Plan.

COMPLIANCE PLAN (optional):

NAME OF PREPARER: Matthew Rustand, Wildlife Biologist, RGFO

SUPERVISORY REVIEW: Melissa K.S. Garcia

NAME OF ENVIRONMENTAL COORDINATOR: /s/ Martin Weimer

DATE: 3/4/14

DECISION AND RATIONALE: I have reviewed this Categorical Exclusion and have decided to implement the Proposed Action.

This action is listed in the Department Manual as an action that may be categorically excluded. I have evaluated the action relative to the 10 criteria listed above and have determined that it does not represent an exception and is, therefore, categorically excluded from further environmental analysis.

SIGNATURE OF AUTHORIZED OFFICIAL:

/s/ Keith E. Berger
Keith E. Berger, Field Manager

DATE SIGNED: 3/4/14

DECISION AND RATIONALE: I have reviewed this Categorical Exclusion and have decided to implement the Proposed Action.

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